

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office NOV 24 1980

Returned to applicant for correction MAR 23 1981

Corrected application filed

Map filed

The applicant Marshall Earth Resources, Inc.

Box 113-1

, of

Gabbs

Street and No. or P.O. Box No.

City or Town

Nevada 89409

State and Zip Code No.

, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Incorporated in Nevada,
on December 3, 1979

1. The source of the proposed appropriation is underground
Name of stream, lake or other source.
2. The amount of water applied for is .8 cfs. second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet acre-feet
3. The water to be used for mining, milling and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated)
 - (b) Stockwater (state number and kinds of animals to be watered)
 - (c) Other use (describe fully under "No. 12. Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point: within Section 4, Township
11 N., R. 39 East., M.D.B.&M.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. Place of use within Section 4, Township 11 North, R. 39 East.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, electric
pump, motor, distribution system and storage reservoir
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$25,000
10. Estimated time required to construct works.....Two years
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use.....Five years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be used for milling, mining and domestic purposes
for both a precious minerals reduction works and a barite
recovery system. The total combined duty will not exceed
1,000 gallons per minute.

By.....s/Ross E. de Lipkau
Signature, applicant or agent

Compared.....ha/kg/.....
Ross E. de Lipkau
P. O. Box 2790
Reno, Nevada 89505
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... IN TESTIMONY WHEREOF, I.....
Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed..... my office, this.....day of.....
Cultural map filed.....

CANCELLED JUN 3 1981 BECAUSE OF FAILURE TO REFILE

CORRECTED APPLICATION WITHIN STATUTORY TIME..... State Engineer

William J. Geerman